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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

Darryl Gilbert Edward Hedge

Civil Action No. 07-633

versus

Judge Tucker L. Melançon

C. Parl Phelps Correctional
Center

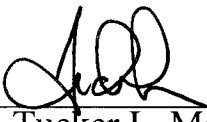
Magistrate Judge Methvin

CERTIFICATE AS TO APPEALABILITY

A notice of appeal having been filed in this habeas corpus case in which the detention complained of arises out of process issued by a Louisiana state court, the Court having considered the record in and the requirements of Federal Rule of Appellate Procedure 22(b), finds that a certificate of appealability should not issue for the following reasons:

The analysis contained in the Report and Recommendation of the Magistrate Judge issued on July 18, 2007 [Rec. Doc. 6], adopted by the Court and entered as a final judgment on August 22, 2007 [Rec. Doc. 11]¹, demonstrates that there is no basis in law or fact to entitle petitioner to the relief he seeks.

THUS DONE AND SIGNED in Lafayette, Louisiana, on this 16th day of September, 2008.



Tucker L. Melançon
United States District Judge

¹ The Court's judgment also granted petitioner's Motion to Amend/Correct in order to "amend and clarify" his petition [Rec. Doc. 9].